

CERTIFICATE OF MAILING

I certify that this document and fee is being deposited with the U.S. Postal Service as First Class Mail under 37 C.F.R. 1.8 and is addressed to Mail Stop: Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: October 21, 2004


Beverly Fletcher

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Inventor(s): **Brian Barnes, et al.** Atty. Docket No.: **60655.6200**
Serial No.: **10/708,597** Confirmation No.: **2596** Group Art Unit: **2632**
Filing Date: **March 12, 2004** Examiner: **TBA**
Title: **METHOD AND SYSTEM FOR TRACKING USER PERFORMANCE**

PETITION FOR EXTENSION OF TIME TO FILE RESPONSE and RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

FILING DATE GRANTED

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

The Applicants respectfully submit this Petition for Extension of Time and Response to the Notice to File Missing Parts in the above-identified application.

10/28/2004 RMEBRAHT 00000049 192814 10708597

02 FC:1253 980.00 DA

PETITION FOR EXTENSION OF TIME TO FILE RESPONSE

This Response is responsive to your Notice to File Missing Parts mailed May 21, 2004. A Response to the aforementioned Notice was due two months from the date of the Notice (*e.g.*, due July 21, 2004). Thus, the Applicants petition for a three (3) month extension of time until October 21, 2004 to submit this Response. In accordance with 37 C.F.R. 1.17(a), a fee of \$950.00 is due. In the event the Examiner determines that a more appropriate time period for extension or fee is warranted, this petition also serves as a petition for the time period and fee as determined by the Examiner. **The Examiner is authorized to charge Deposit Account No. 19-2814 the amount correlative to time period as determined by the Examiner.** A duplicate of this Petition is enclosed for your use.

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION**

This response to the Notice to File Missing Parts of Nonprovisional Application - Filing
Date Granted mailed on May 21, 2004.

Enclosed herewith for filing are the following:

A copy of the Notice to File Missing Parts of Nonprovisional Application - Filing
Date Granted. **(REQUIRED)**;

Declarations

- 1) Signed by inventor Brian Barnes;
- 2) Signed by inventor David S. Bonalle; and
- 3) Signed by inventor Peter D. Saunders.

Surcharge for late filed Declaration	\$ 130.00
--------------------------------------	-----------

Three-month extension fee	<u>950.00</u>
---------------------------	---------------

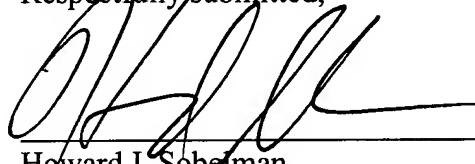
Total completion of application fees	\$1,080.00
--------------------------------------	------------

Total fees due	<u>\$1,080.00</u>
-----------------------	--------------------------

The fee of \$1,080.00 is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **19-2814**.
A duplicate copy of this sheet is enclosed.
- ☒ If an extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **19-2814**.
A duplicate copy of this sheet is enclosed.

Respectfully submitted,



Howard I. Sobelman
Reg. No. 39,038

Dated: October 21, 2004

SNELL & WILMER L.L.P.

One Arizona Center
400 E. Van Buren
Phoenix, AZ 85004-2202
(602) 382-6228
Fax (602) 382-6070
Email: hsobelman@swlaw.com